

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DIAGEO NORTH AMERICA, INC.,

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/9/21

Plaintiff/Counterclaim-Defendant

17 Civ. 4259 (LLS)

- against -

IN LIMINE ORDER

W.J. DEUTSCH & SONS LTD. d/b/a  
DEUTSCH FAMILY WINE & SPIRITS, and  
BARDSTOWN BARREL SELECTIONS LLC,

Defendants/Counterclaim-Plaintiffs.

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Both sides' motions to exclude the other's experts are  
denied.

The applications address objections to the experts' reports and proposed testimony which may be sustained at trial, but which are not so beyond dispute, and sweeping, as to justify exclusion of the expert in advance of trial. They are better dealt with by trial objection, cross-examination and counter-evidence.

Many of the objections can be eliminated by more critical editing of the Reports, and careful preparation of the witness.

The examining counsel should give notice when approaching challenged matter, so that jury prejudice may be avoided by informed rulings and, where appropriate, the conduct of voir dire examination with the jury excused.

So ordered.

Dated: New York, New York  
February 9, 2021

Louis L. Stanton  
LOUIS L. STANTON  
U.S.D.J.